

EXAMINER'S RESTRICTION:

The Examiner has required restriction to one of the following inventions under 35 U.S.C. § 121. According to the Examiner, the following inventions are distinct, each from the other:

- I. Claims 1-3, drawn to control device for electric stapler, classified in class 227, subclass 2; and
- II. Claims 4-18, drawn to method for controlling an electric stapler, classified in class 173, subclass 1.

ELECTION AND REMARKS:

Applicant hereby elects Group II corresponding to **Claims 4-18** drawn to method for controlling an electric stapler for continued prosecution at this time. Applicant withdraws apparatus claims 1-3 from prosecution at this time as being directed toward the non-elected group. New claims 19-21, principally corresponding with former claims 1-3 have been added, but in method terms. Accordingly, no new matter is added by the Amendments.

Applicant believes this reply to be complete and proper in all respects, made in a *bona fide* attempt to advance the above-captioned application to issuance. Applicant respectfully requests, however, that if Applicant has inadvertently failed to comply with any requirement or consider any matter, Applicant be given notice of the same and a new time period for reply.

In view of the foregoing, Applicant respectfully requests reconsideration of the present application. Allowance of the claims is believed to be in order and such allowance is respectfully requested.

Serial No.: 10/065,324
Confirmation No.: 9313
Applicant: HOLGERSSON
Atty. Ref.: 03485.0004.NPUS00

The undersigned representative requests any extension of time that may be deemed necessary to further the prosecution of this application.

The undersigned representative authorizes the Commissioner to charge any additional fees under 37 C.F.R. 1.16 or 1.17 that may be required, or credit any overpayment, to Deposit Account No. 08-3038, referencing Order No. 03485.0004.NPUS00.

In order to facilitate the resolution of any issues or questions presented by this paper, the Examiner should directly contact the undersigned by phone to further the discussion.

Respectfully submitted,



Tracy W. Druce
Patent Attorney
Reg. No. 35,493
Tel. 202.383.7398

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